

Appl. No. 10/710,506  
Amdt. dated April 20, 2006  
Reply to Office action of March 21, 2006

### REMARKS/ARGUMENTS

#### **I. Election/Restrictions:**

This application contains claims directed to the following patentably distinct species:

5      **Group A:**

Species AI: The specifics being a color filter positioned on the top surface and corresponding to the pixel region shown in Figure 2.

Species AII: The specifics being a micro-color filter corresponding to one of the subpixels shown in Fig.3.

10      Also elect one of these:

**Group B:**

Species BI: The specifics being the transparent substrate is a glass substrate.

Species BII: The specifics being the substrate is silicon.

Also elect one of these:

15      **Group C:**

Species CI: The specifics being the micro color filters or color filters comprises a plurality of optical films which are dichroic films.

Species CII: The specifics being the micro color filters is an optical thin-film stack.

If CII is elected also elect one of these:

20      Species CIA: The specifics being the micro color filters or color filters is an optical thin-film stack with are low index optical thin-film stacks comprising of silicon oxide thin films.

25      Species CIIB: The specifics being the micro color filters or color filters is an optical thin-film stack which are high index optical thin-film stacks comprising of titanium oxide thin films or tantalum oxide thin films.

Applicant is required under 35 U.S.C.121 to elect a single disclosed species for

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prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that the reply to this requirement must include an identification  
5 of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An arrangement that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

10 Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent from or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP §809.2(a).

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**Response:**

The applicant hereby makes a provisional election of Species AI (claims 18-30,  
33-40), BII (claims 1-34), and CI (claims 11-12, 27-28) for prosecution on the merits in  
response to the above election requirement, with traverse.

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Claims 35-40 are newly added in an attempt to traverse the restriction requirement,  
wherein claims 35-40 are all dependent upon claim 18 and fully supported in  
specification of this application. No new matter is introduced. Claims 35-40 describe that  
there may be pluralities of the color filters of claim 18, included by the silicon substrate  
25 of the display panel of claim 18, wherein each of the color filters may further be a micro  
color filter positioned corresponding to one subpixel in the pixel region of the display  
panel in claim 18 (claim 35-37). In addition, the micro color filters comprise red, blue,  
and green micro color filters and may comprise photosensitive materials or red, blue, and

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green dyes (claim 38). Therefore, red light with a first specific spectrum, blue light with a second specific spectrum, and green light with a third specific spectrum are capable of passing through the corresponding micro color filters (claims 39-40). *Since the contents of claims 35-40 are not incompatible with claims 18-34, applicants believe claim 18 is a*  
5 *generic claim of claims 18-30, 33-40. Furthermore, the limitations in claims 35-40 are all describes in claims 1-17 thus claim 18 is also a generic claim of claims 1-17 and 31-32.* Accordingly, applicants believe species AI and AII are not patentably distinct and claim 18 is a generic claim because the contents of claims 1-17 and 30-32 are included in claim 18. Therefore, consideration of the amendments and the withdrawal of the restriction  
10 requirement of Group A is respectfully requested.

With regarding to Group B, *the subject matter of this application is an display panel that comprises a silicon substrate (32, 58) having pluralities of pixels, a transparent substrate (34, 56) positioned above the silicon substrate, and a liquid crystal layer*  
15 *positioned between the transparent substrate and the silicon substrate, which are clearly described in the independent claims 1, 18, and in specification or figures of this application, such as Figs. 2-3. And the transparent substrates 34, 56 may be glass substrates, according to para. [0018], line 3. Therefore, both of the glass substrate and silicon substrate have to be included in the display panel at the same time of this*  
20 *application.* Accordingly, applicants politely insist that the restriction Group B is not reasonable and request the withdrawal of the restriction requirement of Group B.

Regarding to Group C, both Species CI and Species CII are about materials of the micro color filters, and applicant believe they are not incompatible. Therefore,  
25 consideration of withdrawal of the restriction is respectfully requested.

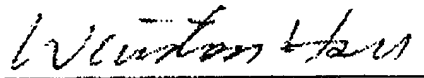
MPEP 811 describes, "a restriction requirement will normally be made before any action upon the merits." However, the above-identified Office Action with

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election/restrictions requirement is a second Action for this application. Furthermore, MPEP 808.02 describes, "the examiner, in order to establish reasons for insisting upon restriction, must explain why there would be a serious burden on the examiner if restriction is not required." However, Examiner didn't explain the reason or give proof of  
5 there is a serious burden on Examiner in the above-identified Office Action. As a result, consideration of the amendment and withdrawal of the election/restrictions requirement is politely requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this  
10 case.

Sincerely yours,



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Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)

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